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EXAMINER	
KIM, JUNG W	

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/688,142	CRANCE, GARY	
	Examiner	Art Unit	
	Jung Kim	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-31,33-50 and 52-88* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-31,33-50 and 52-88* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is in response to the amendment filed on 6/6/06.

2. Claims 1-9, 11-31, 33-50 and 52-88 are pending.

3. Claims 52 and 64 are amended.

4. Claims 76-88 are new.

Response to Arguments

5. On pgs. 16-17 of the Remarks, applicant traverses the anticipation rejection of the claims in view of Lemay. In particular, applicant alleges that Lemay fails to describe or suggest the limitation "preventing a user from perceiving the content while the indicator is being presented" since the down arrow of Lemay is viewable regardless of whether the user perceives the content of the choice list. It is first noted that applicant's interpretation of the indicator being the down arrow is not entirely correct. The entire face of the select tag including the down arrow functions as an indicator-the choice list enables the viewing of the list by selecting any portion of the face of the choice list; prior to selecting the choice list and hence viewing the list, only the down arrow and the face of the choice list is viewable (see Lemay, pg. 280, fig. 11.7, "Choose One") In reply to applicant's argument that Lemay fails to describe the aforementioned limitation, examiner disagrees. In determining the scope of the claim, all limitations of a claim must be interpreted in light of the entire claim. In each of the claims in question, a feature is defined wherein a user is prevented from perceiving the content while the

indicator is being present. But also, the claims further define the limitation of enabling a user from capturing the content based on a request from the user and preventing the user from capturing the content and preventing a perception of the content at the indicator whenever the user attempts to capture the content. (see exemplary claim 1) In view of the claims as a whole, these independent claims do not suggest that the indicator is not being present when the user perceives the content. In fact, the limitation "preventing the user from capturing the content and preventing a perception of the content *at the indicator* whenever the user attempts to capture the content" as recited in exemplary claim 1, suggests that the indicator is being presented when the user perceives the content. Hence, the features upon which applicant relies (i.e., presenting the indicator or the content but not both) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Hence, applicant's arguments are not persuasive.

6. Applicant's arguments with respect to claims 1-3, 8, 9, 11-17, 21, 23-25, 30, 31, 33-35, 39, 41-44, 49, 50, 52-60, 62, 64-72 and 74 (Remarks, pgs. 17-19) are similar to those arguments discussed above. In particular, applicant argues that Nguyen does not disclose the limitation "preventing a user from perceiving the content while the indicator is being presented above." Examiner disagrees. When the indicator is presented (the graphical element and first region surrounding the first element), the presentation of the graphical element in further detail is prevented unless a server allows permission based on a unique id and a set of conditions. (col. 3:11-39) Since the graphical element in

further detail is not presented when the indicator is presented under these conditions, the disclosure of Nguyen anticipates this limitation. Moreover, as noted above, the features upon which applicant relies (i.e., presenting the indicator or the content but not both) are not recited in the rejected claim(s). Hence, these arguments are not persuasive.

7. In reply to applicant's argument that the motivation to combine the prior art in the claim 4 rejection is lacking since "there is no suggestion in Lemay or in any of the other cited references that such a Java applet has graphics that can be used to indicate the presence of content that is different from the Java applet graphics" (Remarks, pg. 19, 1st full paragraph), examiner disagrees. On pg. 280, fig. 11.7, Lemay illustrates a choice list, wherein the face of the choice list includes the text "Choose One" and a down arrow to the left of the text. This is one example of providing instructions to perceive the content. It is further unclear why applicant suggests that the limitation of claim 4 "in and of itself is believed to be allowable" when the method step of claim 4 is merely providing instructions to operate the input device. Evidence of providing written instructions to operate a device is not lacking and moreover the motivation to provide such written instructions is as old as the written word itself. Clarification of applicant's position is requested if applicant feels otherwise. Hence, applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 76, 78, 80, 82 and 84 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The parent claims of claims 76, 78, 80, 82 and 84 define the limitation of preventing a perception of the content *at the indicator* whenever the user attempts to capture the content. However, claims 76, 78, 80, 82 and 84 define the limitation of replacing the indicator with the content such that the indicator and the content are presented as alternatives. This poses a contradiction: the content and the indicator is present as defined in the parent claims, whereas the content and the indicator are alternatives in the dependent claims.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

11. Claims 1-9, 11-19, 21, 23-31, 33-37, 39, 41-50, 52-60, 62, 64-72 and 74, 75, 77, 79, 81, 83 and 85-88 are rejected under 35 U.S.C. 102(a) as being anticipated by

Lemay et al. Teach Yourself Java 2 in 21 days "Building Simple User Interfaces for Applets" pgs. 268-291. (hereinafter Lemay 1)

12. As per claims 23-31, 33-37, 39, 41, 79 and 87, Lemay 1 discloses (claim 23) a system comprising: a processor having communications links for receiving content from a network; an output device for making received network content perceivable; an input device for receiving user input; and memory storing software instructions performed by the processor for presenting an indicator that differs from the content and indicates a presence of the content, for preventing a user from perceiving the content while the indicator is being presented, for receiving a request from the user to access the content, for enabling the user to perceive the content based on the request received from the user, and for preventing the user from capturing the content and preventing a perception of the content at the indicator whenever the user attempts to capture the content (pg. 279-281, "Choice List", the choice list [fig. 11.7 or 11.8] is an indicator that differs from the content displayed as a list when the arrow down is selected; moreover, when the arrow down is selected to view the list, the focus of the browser/window is directed to this object, more particularly, to view the contents of the list-the focus as known to one of ordinary skill in the art indicates which object in the window reacts to keyboard or mouse input. When the down arrow is selected, and the list is viewable, the print command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus. Only when

the focus is removed from the choice list, and when the list is not viewable, can the screen be printed by selecting these other objects);

(claim 24) wherein the software instructions for preventing the user from capturing the content includes software instructions for preventing the user from capturing the content while perception of the content is enabled (when the down arrow is selected, and the list is viewable, the print command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 25) wherein the content is an image and the memory includes software instructions performable by the processor for generating the indicator to include a display area having a size that is greater than a size of the image and a location at a position of the image (pg. 280-281, "Choice List", fig. 11.7 or 11.8, the choice list displays a viewable list);

(claim 26) wherein the memory includes software instructions performable by the processor for generating the indicator to include text that is presented to the user with instructions for operating an input device to perceive the content when a graphical interface tool is positioned over the indicator (pg. 280-281, "Choice List", fig. 11.7, "Choose One" and down arrow);

(claim 27) wherein the software instruction for enabling the user to perceive the content include software instructions for presenting the content to the user when the user requests access to the content by at least positioning a graphical interface tool over the indicator (pg. 280-281, "Choice List", fig. 11.7, "Choose One" and down arrow);

(claim 28) wherein the software instructions for preventing the user from capturing the content include software instructions for preventing the user from using devices capable of capturing the content while the content is being presented to the user (when the down arrow is selected, and the list is viewable, the print command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 29) wherein the software instructions for preventing the user from capturing the content include software instructions for preventing the user from using a single input device to both present and capture the content (when the down arrow is selected, and the list is viewable, the print command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 30) wherein the software instructions for enabling the user to perceive the content include software instructions for presenting the content in a browser window (pg. 280-281, "Choice List", fig. 11.7 and 11.8);

(claim 31) wherein the software instructions for preventing the user from capturing the content comprises software instructions for preventing the user from accessing an application of a browser used to produce the browser window that otherwise is capable of at least one of copying and saving the content (pg. 280-281, "Choice List", fig. 11.7 and 11.8; when the down arrow is selected, and the list is viewable, both the print, copy and save command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 33) wherein the content includes an image and the software instructions for preventing the user from capturing the content comprise software instructions for preventing the user from copying and saving the image (the choice list displays a viewable list; when the down arrow is selected, and the list is viewable, both the print, copy and save command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 34) wherein the software instructions enable perception of the content from a webpage (pg. 280-281, "Choice List", fig. 11.7 or 11.8);

(claim 35) wherein the content comprises an image and the software instructions for enabling the user to perceive the content include software instructions for displaying the image (the choice list displays a viewable list);

(claim 36) wherein the content is described in a hyper-text markup language (pg. 280, fig. 11.7 is a standard select box conventionally defined in HTML; pg. 281, fig. 11.8: the java applet is invoked in HTML using applet tag);

(claim 37) wherein the software instructions for receiving a request from the user to access the content comprise software instructions for receiving input from a user indicating a request for access to a document, with the instructions including a network address of the document (the web interface is conventionally downloaded using a network address);

(claim 39) wherein the content includes text, the software instructions for enabling the user to perceive the content include software instructions for displaying the text, and the software instructions for preventing the user from capturing the content includes software instructions for preventing capture of information representing the text (when the down arrow is selected, and the list is viewable, both the print, copy and save command on a user's browser cannot be selected nor can the right mouse button engage to print the screen as these objects do not have the focus);

(claim 41) wherein the software instructions are stored as an applet (pg. 281, fig. 11.8);

(claim 79) wherein the software instructions for receiving the request from the user to access the content include software instructions for holding down a mouse button over the indicator; (holding down a mouse button over the Choice list enables the list to be viewable) and

(claim 87) wherein the software instructions for presenting the indicator include software instructions for presenting a visible indicator and the software instructions for preventing the perception of the content at the indicator include software instructions for preventing the perception of the content at a location of the visible indicator. (holding down a mouse button over the Choice list enables the viewing of a list of choices [pg. 280, figure 11.7])

13. As per claims 1-9, 11-19, 21, 77 and 86, they are claims corresponding to claims 23-31, 33-37, 39, 41, 79 and 87, and they do not teach or define above the information claimed in claims 23-31, 33-37, 39, 41, 79 and 87. Therefore, claims 1-9, 11-19, 21, 77 and 86 are rejected as being anticipated over Lemay 1 for the same reasons set forth in the rejections of claims 23-31, 33-37, 39, 41, 79 and 87.

14. As per claims 42-50, 52-60, 62, 64-72, 74, 81, 83, 85 and 88, they are claims corresponding to claims 23-31, 33-37, 39, 41, 79 and 87, and they do not teach or define above the information claimed in claims 23-31, 33-37, 39, 41, 79 and 87. Therefore, claims 42-50, 52-60, 62, 64-72, 74, 81, 83, 85 and 88 are rejected as being

anticipated over Lemay 1 for the same reasons set forth in the rejections of claims 23-31, 33-37, 39, 41, 79 and 87.

Claim Rejections - 35 USC § 103

15. Claims 1-3, 8, 9, 11-17, 21, 23-25, 30, 31, 33-35, 39, 41-44, 49, 50, 52-60, 62, 64-72, 74 and 76-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen U.S. Patent No. 6,032,150 (hereinafter Nguyen) in view of Gelfer et al. USPN 6,587,843 (hereinafter Gelfer).

16. As per claim 23, Nguyen discloses a network of computers having communications links for receiving content from a network, wherein each computer has an output device for making received network content perceivable and an input device for receiving user input (col. 2:40-60). Furthermore, Nguyen discloses memory storing software instructions performed by a processor:

a. for presenting an indicator that differs from the content and indicates a presence of the content (col. 3:17-21; fig. 1, Reference Nos. 122, 123, and 124);

b. for preventing a user from perceiving the content while the indicator is being presented (3:31-33; fig. 1, Reference No. 122);

c. for receiving a request from the user to access the content (3:14-17; fig. 1, Reference No. 111);

d. for enabling the user to perceive the content based on the request received from the user (3:31-35; fig. 1, Reference No. 124); and

e. for preventing the user from capturing the content (3:62-65; fig. 1, Reference No. 124).

17. Nguyen does not disclose the step of preventing a perception of the content whenever the user attempts to capture the content. However, the step of disabling a service when an unauthorized request is made is a conventional feature in the art of security. For example, Gelfer discloses a security feature of a device having a security flag wherein the security flag is erased when an unauthorized action occurs thereby effectively shutting down the device to prevent use of the device. (Abstract) Hence, it would be obvious to one of ordinary skill in the art at the time the invention was made for the step of preventing the user from capturing the content to include the substep of preventing a perception of the content whenever the user attempts to capture the content since it ensures the prevention of improper use. (Gelfer, ibid) The aforementioned cover the limitations of claim 23.

18. As per claim 24, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for preventing the user from capturing the content include software instructions for preventing the user from capturing the content while perception of the content is enabled. (Nguyen, col. 3:62-65)

19. As per claim 25, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content is an image and the memory includes software instructions performable by the processor for generating the indicator to include a

display area that has a size that is greater than a size of the image and is positioned at a location of the image. (Nguyen, Figure 1, Reference Nos. 122, 123, and 124)

20. As per claim 30, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for enabling the user to perceive the content include software instructions for presenting the content in a browser window. (Nguyen, col. 3:12-39 and lines 62-65; claims 8 and 15)

21. As per claim 31, the rejection of claim 30 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for preventing the user from capturing the content comprises software instructions for preventing the user from accessing an application of a browser used to produce the browser window that otherwise is capable of at least one of copying and saving the content. (Nguyen, col. 3:12-39 and lines 62-65; claims 8 and 15)

22. As per claim 33, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content includes an image and the software instructions for preventing the user from capturing the content comprise software instructions for preventing the user from copying and saving the image (Nguyen, col. 3:62-65)

23. As per claim 34, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions enable perception of the content from a webpage (Nguyen, Abstract).

24. As per claim 35, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content comprises an image and the software instructions for enabling the user to perceive the content includes displaying the image (Nguyen, col. 3:12-24 and lines 30-34).

25. As per claim 39, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content comprises text. (Nguyen, col. 1:19 and 55-57)

26. As per claim 41, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions are stored as an applet (Nguyen, col. 1:55-56).

27. As per claim 78, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for enabling the user to perceive the content based on the request received from the user include software instructions for replacing the indicator with the content, such that the indicator and the content are presented as alternatives. (col. 3:12-39)

28. As per claim 79, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, Nguyen discloses selecting the indicator to view the graphical element in further detail. (col. 3:19-21) Although Nguyen does not explicitly disclose holding down a mouse button over the indicator to select the indicator, it is notoriously well known in the art to hold down a mouse button to select an item in a browser or any visual item in a user's screen. Examiner takes Official notice of this teaching. It would be obvious to one of ordinary skill in the art at the time the invention was made to access the content include software instructions for holding down a mouse button over the indicator. One would be motivated to do so to utilize a user-friendly means of selecting items within a browser as known to one of ordinary skill in the art. The aforementioned cover the limitations of claim 79.

29. As per claim 87, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for presenting the indicator include software instructions for presenting a visible indicator and the software instructions for preventing the perception of the content at the indicator include software instructions for preventing the perception of the content at a location of the visible indicator. (col. 3:12-65)

30. As per claims 1-3, 8, 9, 11-17, 21, 76, 77 and 86, they are claims corresponding to claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87, and they do not teach or define above the information claimed in claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87.

Therefore, claims 1-3, 8, 9, 11-17, 21, 76, 77 and 86 are rejected as being unpatentable over Nguyen in view of Gelfer for the same reasons set forth in the rejections of claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87.

31. As per claims 42-44, 49, 50, 52-60, 62, 64-72, 74, 80-85 and 88, they are claims corresponding to claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87, and they do not teach or define above the information claimed in claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87. Therefore, claims 42-44, 49, 50, 52-60, 62, 64-72, 74, 80-85 and 88 are rejected as being unpatentable over Nguyen in view of Gelfer for the same reasons set forth in the rejections of claims 23-25, 30-31, 33-35, 39, 41, 78, 79 and 87.

32. Claims 4-7, 18-20, 26-29, 36-38, 45-48, 61 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen in view of Gelfer, and further in view of Lemay et al. Teach Yourself Java 2 in 21 Days "Putting Interactive Programs on the Web" pgs. 175-200, "Adding Images, Animation and Sound" pgs. 233-267, "Building Simple User Interfaces for Applets" pgs. 268-291, "Responding to User Input in an Applet" pgs. 319-353, and "Developing Advanced User Interfaces with the AWT" pgs. 354-380 (hereinafter Lemay 2).

33. As per claim 26, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) Nguyen does not expressly disclose the indicator comprising text with instructions for securely viewing the content. However, as taught by Lemay 2, the

applet used to secure graphical objects in the invention disclosed by Nguyen, are implemented in various contexts and adapted to feature many different types of user interfaces and user input. (pgs. 175-200 'Putting Interactive Programs on the Web', pgs. 233-267 'Adding Images, Animation, and Sound', pgs. 269-291 'Building Simple User Interfaces for Applets', pgs. 320-351 'Responding to User Input in an Applet', and pgs. 353-380 'Developing Advanced User Interfaces with the AWT') One of these features includes adding labels to an applet that instructs a user to actuate an action using a graphical interface tool. (pgs. 273-274, 'Labels'; pg. 275, 'Buttons', second bullet, 'Button(String)'; pg. 276, Figure 11.3) It would be obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Lemay 2 to the invention disclosed by Nguyen, since it is desirous for the applet to be both user and programmer friendly. (Lemay, page 269, 2nd and 3rd paragraphs) The aforementioned cover the limitations of claim 26.

34. As per claim 27, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instruction for enabling the user to perceive the content include software instruction for presenting the content to the user when the user requests access to the content by at least positioning a graphical interface tool over the indicator. (Nguyen, col. 3:12-21; Lemay 2, pgs. 275-276, 'Buttons')

35. As per claim 28, the rejection of claim 27 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for preventing the user from

capturing the content include software instructions for preventing the user from using devices capable of capturing the content while the content is being presented to the user. (Nguyen, fig. 1, Reference No. 110; col. 3:62-65)

36. As per claim 29, the rejection of claim 27 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for preventing the user from capturing the content include software instructions for preventing the user from using a single device to both present and capture the content. (Nguyen, fig. 1, Reference No. 110; col. 3:62-65)

37. As per claim 36, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content is described in a hypertext markup language. (Lemay 2, pgs. 184-189, '<APPLET> tag')

38. As per claim 37, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the software instructions for receiving a request from the user to access the content comprise software instructions for receiving instructions from a user to access a document, the instructions including a network address of the document (Nguyen, col. 3:5-10 and lines 53-57; Lemay 2, pgs. 245-246, 'Retrieving and Using Images' and 'Relative File Paths').

39. As per claim 38, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) In addition, the content generated by an applet includes sound. (Nguyen, col. 1:18-20; Lemay 2, pgs. 263-266, 'Retrieving and Using Sounds')

40. As per claims 4-7 and 18-20, they are claims corresponding to claims 26-29 and 36-38, and they do not teach or define above the information claimed in claims 26-29 and 36-38. Therefore, claims 4-7 and 18-20 are rejected as being unpatentable over Nguyen in view of Gelfer and Lemay 2 for the same reasons set forth in the rejections of claims 26-29 and 36-38.

41. As per claims 45-48, they are claims corresponding to claims 26-29, and they do not teach or define above the information claimed in claims 26-29. Therefore, claims 45-48 are rejected as being unpatentable over Nguyen in view of Gelfer and Lemay 2 for the same reasons set forth in the rejections of claims 26-29.

42. As per claim 61, it is a claim corresponding to claim 38, and it does not teach or define above the information claimed in claim 38. Therefore, claim 61 is rejected as being unpatentable over Nguyen in view of Gelfer and Lemay 2 for the same reasons set forth in the rejection of claim 38.

43. As per claim 73, it is a claim corresponding to claim 38, and it does not teach or define above the information claimed in claim 38. Therefore, claim 73 is rejected as

being unpatentable over Nguyen in view of Gelfer and Lemay 2 for the same reasons set forth in the rejection of claim 38.

44. Claims 22, 40, 63 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen in view of Gelfer, and further in view of Huseby 'Video on the World Wide Web Accessing Video from WWW Browsers' (hereinafter Huseby).

45. As per claim 40, the rejection of claim 23 under 35 U.S.C. 103(a) is incorporated herein. (supra) Although neither Nguyen nor Gelfer disclose the protected content as including video information, it is notoriously well known in the art for digital video to be presented using an applet run on a browser. For example, Huseby teaches a sample java video applet run in a Netscape browser. (pg. 4, Figure 4.4) It would be obvious to one of ordinary skill in the art at the time the invention was made for the content prevented from user capture to include video, since it is desirous for the applet to provide copy protection on all the possible contents presented by the applet. (Nguyen, 1:45-52) The aforementioned cover the limitations of claim 40.

46. As per claim 22, it is a claim corresponding to claim 40, and it does not teach or define above the information claimed in claim 40. Therefore, claim 22 is rejected as being unpatentable over Nguyen in view of Gelfer and Huseby for the same reasons set forth in the rejection of claim 40.

47. As per claim 63, it is a claim corresponding to claim 40, and it does not teach or define above the information claimed in claim 40. Therefore, claim 63 is rejected as being unpatentable over Nguyen in view of Gelfer and Huseby for the same reasons set forth in the rejection of claim 40.

48. As per claim 75, it is a claim corresponding to claim 40, and it does not teach or define above the information claimed in claim 40. Therefore, claim 63 is rejected as being unpatentable over Nguyen in view of Gelfer and Huseby for the same reasons set forth in the rejection of claim 40.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Communications Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung W. Kim whose telephone number is 571-272-3804. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jung W Kim
Examiner
Art Unit 2132

July 21, 2006

GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100